

**§ 213.302-5 Clauses.**

(a) Use the clause at 252.243-7001, Pricing of Contract Modifications, in all bilateral purchase orders.

(d) When using the clause at FAR 52.213-4, delete the reference to the clause at FAR 52.225-3, Buy American Act-Supplies. Instead, if the Buy American Act applies to the acquisition, use the clause at—

(i) 252.225-7001, Buy American Act and Balance of Payments Program, as prescribed at 225.109(d); or

(ii) 252.225-7036, Buy American Act-North American Free Trade Agreement Implementation Act-Balance of Payments Program, as prescribed at 225.408(a)(vi).

[64 FR 24528, May 7, 1999]

**213.303 Blanket purchase agreements (BPAs).**

**213.303-5 Purchases under BPAs.**

(b) Individual purchases for subsistence may be made at any dollar value; however, the contracting officer must satisfy the competition requirements of FAR Part 6 for any action not using simplified acquisition procedures.

**213.305 Imprest funds and third party drafts.**

**213.305-1 General.**

(1) As a matter of policy, DoD does not support the use of cash payments from imprest funds. This policy is based, in part, on the mandatory electronic funds transfer requirements of the Debt Collection Improvement Act of 1996 (Pub. L. 104-134).

(2) On a very limited basis, installation commanders and commanders of other activities with contracting authority may be granted authority to establish imprest funds and third party draft (accommodation check) accounts.

(3) Third party draft accounts, when established in accordance with DoD 7000.14-R, DoD Financial Management Regulation, Volume 5, Disbursing Policy and Procedures—

(i) Provide an alternative to cash and U.S. Treasury checks when the use of Government purchase or travel cards is not feasible;

(ii) Eliminate the need for cash on hand for imprest fund transactions; and

(iii) Give issuing activities the flexibility to issue low-volume and low-dollar value payment on site.

**213.305-3 Conditions for use.**

(d)(i) Use of imprest funds—

(A) Must comply with the conditions stated in—

(1) DoD 7000.14-R, DoD Financial Management Regulation, Volume 5, Disbursing Policy and Procedures; and

(2) The Treasury Financial Manual, Part 4, Chapter 3000, Section 3020; and

(B) Except as provided in paragraph (d)(ii) of this subsection, requires approval by the Director for Financial Commerce, Office of the Deputy Chief Financial Officer, Office of the Under Secretary of Defense (Comptroller).

(ii) Imprest funds are authorized for use without further approval for—

(A) Overseas transactions at or below the micro-purchase threshold in support of a contingency operation as defined in 10 U.S.C. 101(a)(13) or a humanitarian or peacekeeping operation as defined in 10 U.S.C. 2302(7); and

(B) Classified transactions.

**213.306 SF 44, Purchase Order-Invoice-Voucher.**

(a)(1) The micro-purchase limitation applies to all purchases, except that purchases not exceeding the simplified acquisition threshold may be made for—

(A) Aviation fuel and oil;

(B) Overseas transactions by contracting officers in support of a contingency operation as defined in 10 U.S.C. 101(a)(13) or a humanitarian or peacekeeping operation as defined in 10 U.S.C. 2302(7); and

(C) Transactions in support of intelligence and other specialized activities addressed by Part 2.7 of Executive Order 12333.

**213.307 Forms.**

(a) If SF 1449 is not used, use DD Form 1155 in accordance with paragraph (b)(i) of this section.

(b)(i) Use DD Form 1155, Order for Supplies or Services, for purchases made using simplified acquisition procedures.

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- (A) The DD Form 1155 serves as a—
  - (1) Purchase order or blanket purchase agreement;
  - (2) Delivery order or task order;
  - (3) Receiving and inspection report;
  - (4) Property voucher;
  - (5) Document for acceptance by the supplier; and
  - (6) Public voucher, when used as—
    - (i) A delivery order;
    - (ii) The basis for payment of an invoice against blanket purchase agreements or basic ordering agreements when a firm-fixed-price has been established; or
    - (iii) A purchase order for acquisitions using simplified acquisition procedures.
- (B) The DD Form 1155 is also authorized for use for—
  - (1) Orders placed in accordance with FAR Subparts 8.4, 8.6, 8.7, and 16.5; and
  - (2) Classified acquisition when the purchase is made within the United States, its possessions, and Puerto Rico. Attach the DD Form 254, Contract Security Classification Specification, to the purchase order.
  - (ii) Do not use Optional Form 347, Order for Supplies or Services, or Optional Form 348, Order for Supplies or Services Schedule—Continuation.
  - (iii) Use Standard Form 30, Amendment of Solicitation/Modification of Contract, to—
    - (A) Modify a purchase order; or
    - (B) Cancel a unilateral purchase order.

### Subpart 213.4—Fast Payment Procedure

#### 213.402 Conditions for use.

- (a) Individual orders may exceed the simplified acquisition threshold for—
  - (i) Brand-name commissary resale subsistence; and
  - (ii) Medical supplies for direct shipment overseas.

### Subpart 213.70—Simplified Acquisition Procedures Under the 8(a) Program

#### 213.7001 Policy.

For sole source acquisitions under the 8(a) Program, contracting officers may use the procedures established in

the Memorandum of Understanding cited in 219.800.

#### 213.7002 Procedures.

For acquisitions that are otherwise appropriate to be conducted using procedures set forth in this part, and also eligible for the 8(a) Program, contracting officers may use—

- (a)(1) For sole source purchase orders not exceeding the simplified acquisition threshold, the procedures in 219.804-2(2); or
- (2) For other types of acquisitions, the procedures in Subpart 219.8, excluding the procedures in 219.804-2(2); or
- (b) The procedures for award to the Small Business Administration in FAR Subpart 19.8.

#### 213.7003 Purchase orders.

##### 213.7003-1 Obtaining contractor acceptance and modifying purchase orders.

The contracting officer need not obtain a contractor's written acceptance of a purchase order or modification of a purchase order for an acquisition under the 8(a) Program pursuant to 219.804-2(2).

##### 213.7003-2 Contract clauses.

Use the clauses prescribed in 219.811-3 (1) and (3) for purchase orders under the 8(a) Program pursuant to the Memorandum of Understanding cited in 219.800.

## PART 214—SEALED BIDDING

### Subpart 214.2—Solicitation of Bids

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- 214.202 General rules for solicitation of bids.
- 214.202-5 Descriptive literature.

### Subpart 214.4—Opening of Bids and Award of Contract

- 214.404 Rejection of bids.
- 214.404-1 Cancellation of invitations after opening.
- 214.407 Mistakes in bids.
- 214.407-3 Other mistakes disclosed before award.

### Subpart 214.5—Two-Step Sealed Bidding

- 214.503 Procedures.
- 214.503-1 Step one.